

**EMPLOYMENT RELATIONS COMMISSION (EXCERPT)**  
**Act 176 of 1939**

**423.9 Prerequisites for strike or lockout; notice of dispute and statement of issues; mediation.**

Sec. 9.

A strike or lockout shall not take place or be put into effect until and unless each of the steps are taken and the requirements complied with as follows:

(a) If the parties thereto are unable to settle any labor dispute, the employees or their representatives, in the case of impending strike, or the employer or his agent, in the case of an impending lockout, shall serve notice of the dispute together with a statement of the issues involved upon the commission and the other party to the dispute. The notice may be served personally on any member of the commission and a copy thereof personally served upon the other party, or sent by registered mail to the commission at a regularly established office thereof and to the employer or the representative of his employees at his regular address not less than 10 days before the strike or lockout is to become effective.

(b) Upon receipt of the notice the commission shall exercise the powers granted in this act to effect a settlement of the dispute by mediation between the parties. Each of the parties to the dispute shall actively and in good faith participate in the mediation thereof.

**History:** 1939, Act 176, Imd. Eff. June 8, 1939 ;-- Am. 1947, Act 318, Eff. Oct. 11, 1947 ;-- CL 1948, 423.9 ;-- Am. 1949, Act 230, Imd. Eff. May 31, 1949 ;-- Am. 1976, Act 17, Imd. Eff. Feb. 20, 1976 ;-- Am. 1978, Act 250, Imd. Eff. June 20, 1978